

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

- - - - - x  
DEMETRIUS WRIGHT, on behalf of :  
himself and all others :  
similarly situated, :

USDC SDNY  
DOCUMENT  
ELECTRONICALLY FILED  
DOC #: 5/23/2008  
DATE FILED: 5/23/2008

Plaintiff, : ORDER  
- against - : 08 Civ. 3172 (DC)  
BRAE BURN COUNTRY CLUB, INC., :  
Defendant. :

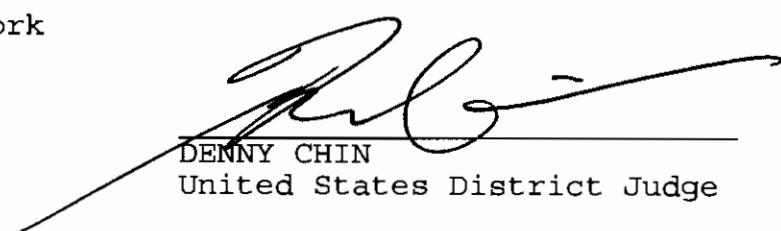
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**CHIN, District Judge**

The motion to dismiss is denied without prejudice in  
light of the amended complaint and the opting in of another  
former employee.

Defendant shall answer or move by June 27, 2008, and in  
the meantime, the parties may proceed with discovery.

SO ORDERED.

Dated: New York, New York  
May 23, 2008

  
DENNY CHIN  
United States District Judge